

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

2005 FEB 22 P 3:01

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CATHERINE DEEGAN PATTERSON,  
Individually and as she is the  
Administratrix of the Estate of  
Edward "Teddy" Deegan,  
and YVONNE DEEGAN GIOKA,  
Plaintiffs,

v.

UNITED STATES OF AMERICA  
and DENNIS CONDON  
Defendants  
\_\_\_\_\_

CIVIL ACTION NO. 04-11817 JLT

U.S. DISTRICT COURT  
DISTRICT OF MASS.

**PLAINTIFFS' MOTION FOR AN ENLARGEMENT OF TIME  
FOR SUBMITTING EVIDENTIARY MATERIALS**

Plaintiffs seek an additional thirty days for submitting evidentiary materials in order to support her opposition to the motion of the defendant United States to dismiss this case.

As grounds for this Motion, plaintiffs' counsel says that, when the plaintiffs' opposition to the motion to dismiss was filed on January 5, plaintiffs requested up to and including February 22 to file additional evidentiary materials in the form of affidavits or depositions. Specifically, the plaintiffs sought leave to obtain a sworn statement from Richard Deegan regarding when Deegan first became aware that the FBI had been involved in the death of his brother, Edward Teddy Deegan. Despite diligent efforts, plaintiffs' counsel has not been able to obtain an affidavit from Mr. Deegan.

However, plaintiffs' counsel believes that, over the next thirty days, he can obtain Mr. Deegan's statement through a deposition or affidavit and will make diligent efforts to do so. Plaintiffs' counsel does not control or have direct access to Richard Deegan. However, he will make every effort to subpoena Deegan.

Although plaintiffs' counsel has no desire to delay these proceedings unnecessarily, he anticipates that Deegan's statement will be substantial assistance in opposing the motion to dismiss this meritorious case. For these reasons, plaintiffs' counsel requests that the Court indulge the plaintiffs and extend the period of time up to and including March 22 for the submission of additional evidentiary materials.

Respectfully submitted,  
Plaintiffs,  
By their attorneys,



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Neil Rossman, BBO#430620



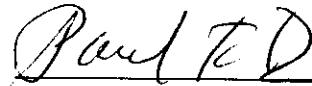
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Paul F. Denver, BBO#120755  
Rossman & Rossman  
Marketplace Center - North  
200 State Street  
Boston, MA 02109  
(617) 439-9559

DATED: February 22, 2005

**CERTIFICATE OF SERVICE**

I, Paul F. Denver, do certify that on this 22<sup>nd</sup> day of February, 2005, the attached Plaintiffs' Motion for an Enlargement of Time for Submitting Evidentiary Materials was forwarded to Bridget Bailey Lipscomb, Trial Attorney, Torts Branch, Civil Division, U.S. Department of Justice, Benjamin Franklin Station, P.O. Box 888, Washington, D.C. 20044, attorneys for the United States of America, by first class mail, postage prepaid.

A handwritten signature in cursive script, appearing to read "Paul F. Denver", is written over a horizontal line.

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